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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PENDLETON DIVISION

OREGON FIREARMS FEDERATION, INC., et  
al.,

Plaintiffs,

v.

KATE BROWN, et al.,

Defendants.

Case No. 2:22-cv-01815-IM (*Lead Case*)  
Case No. 3:22-cv-01859-IM (*Trailing Case*)  
Case No. 3:22-cv-01862-IM (*Trailing Case*)  
Case No. 3:22-cv-01869-IM (*Trailing Case*)

CONSOLIDATED CASES

**DECLARATION OF PAUL  
DONHEFFNER IN SUPPORT OF  
AMICUS CURIAE OREGON HUNTERS  
ASSOCIATION AND DUCKS  
UNLIMITED MEMORANDUM IN  
SUPPORT OF PRELIMINARY  
INJUNCTION**

MARK FITZ, et al.,

Plaintiffs,

v.

ELLEN F. ROSENBLUM, et al.,

Defendants.

*(caption continued on next page)*

KATERINA B. EYRE, TIM FREEMAN,  
MAZAMA SPORTING GOODS, NATIONAL  
SHOOTING SPORTS FOUNDATION, and  
OREGON STATE SHOOTING ASSOCIATION,

Plaintiffs,

v.

ELLEN F. ROSENBLUM, Attorney General of  
Oregon, and TERRI DAVIE, Superintendent of  
the Oregon State Police,

Defendants.

DANIEL AZZOPARDI, et al.,

Plaintiffs,

v.

ELLEN F. ROSENBLUM, et al.,

Defendants.

I, Paul Donheffner, hereby declare as follows:

1. I am over the age of 18 years, and I am qualified to submit this Declaration on behalf of Amicus Curiae.

2. I am a resident of Marion County, Oregon and life member of Oregon Hunters Association (“OHA”). I am also a bronze sponsor of Ducks Unlimited (“DU”). I serve as a volunteer member of the OHA State Board of Directors, Chairman of the OHA Legislative Committee, and I submitted comments to the Oregon Secretary of State detailing OHA’s objections and concerns regarding the Explanatory Statement for the initiative petition that became Ballot Measure 114. I am a gun owner and licensed hunter in Oregon.

3. OHA was founded in 1983 and is a 501(c)(3) non-profit organization whose mission is “Protecting Oregon’s wildlife, habitat and hunting heritage.” OHA has approximately

10,000 members in 26 Oregon chapters. It advocates at the statewide level on behalf of science-based wildlife and habitat management. At the local level, OHA's chapters conduct wildlife habitat projects and offer hunter education-oriented youth and family events and programs.

4. OHA hosts various fundraising events in Oregon that raises critically important funds used in its work. More than half of this income is raised by auctioning or raffling firearms to attendees and other supporters, which fundraisers are now cancelled or in jeopardy because of Ballot Measure 114. OHA could lose as much as half of its funding if these events are unable to continue.

5. At the present time, because the Permit to Purchase system mandated by Ballot Measure 114 is not implemented, it is impossible to hold any such fundraisers offering any firearm for auction or raffle while complying with its requirements. I personally participate in these fundraisers, spending thousands of dollars a year in support of OHA and DU at these events and a chance to win one of the available firearms. OHA fundraisers are well attended, and I am not alone in participating at this level of support.

6. Without the income derived from our fundraisers, OHA's work is put at risk. OHA employs a conservation staff that may be left unfunded. OHA advocates on behalf of Oregon's wildlife and habitat and considers itself their voice. OHA is "boots on the ground" supporting conservation projects throughout Oregon.

7. Licensed hunters in Oregon also support conservation funding through the purchase of firearms, ammunition, and related sporting equipment. Since 1937, the Pittman-Robertson ("PR") Federal Wildlife Restoration Act has imposed an 11% excise tax to fund conservation efforts. In Fiscal Year 2022, the Oregon Department of Fish and Wildlife received over \$26 million in PR funding for wildlife conservation and hunter education. Ballot Measure

114 will negatively impact this funding by creating barriers to sales of firearms and ammunition. In addition, by suppressing sales of firearms and ammunition – necessary for hunting activities for most participants – Ballot Measure 114 also stands to reduce revenue to ODFW from hunting license and tag sales.

8. OHA sponsors a Learn To Hunt program. New hunters require the necessary equipment of proper firearms and ammunition. Ballot Measure 114 creates a labyrinth of barriers frustrating lawful hunters from getting started. In OHA's Learn To Hunt program, new hunters are taught that gun safety is always the first rule. In so doing, OHA helps to teach important life skills to future generations of hunters who will advocate for gun safety and wildlife conservation. By stopping and hampering OHA's programs, Ballot Measure 114 impairs OHA's successful avenue for reaching these young Oregonians.

9. For a new hunter, the traditional starter rifle costs approximately \$100 - \$200 dollars. For big game or birds, the entry-level rifle or shotgun is typically \$300 - \$400. It appears that the entire Permit to Purchase process could cost well in excess of \$200 including the permit, mandatory classes and live fire certification, increasing the barriers for young Oregon hunters by 50% or more. This is an unacceptable and unnecessary barrier and delay.

10. Like many hunters, I have been using firearms as a tool for my entire life. I have taken Hunter Education Safety Training, Master Hunter Certification, and possess a Concealing Handgun License, for which I was given a thorough background check. The notion that I have to take yet another gun safety class and demonstrate live fire proficiency after using firearms my entire life just so I can purchase a firearm and pass yet another background check is an insult and injury to my rights as a U.S. Citizen under the Second Amendment.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
AND CORRECT.

Executed on 1/5/2023

By: Paul Donheffner  
Name: Paul Donheffner

### CERTIFICATE OF SERVICE

In accordance with Fed. R. Civ. P. 5(b)(2)(E) and LR5-1, I hereby certify that on January 11, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

DATED this 11th day of January 2023.

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/s/ Michael R. McLane

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